

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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| IN RE: CANDICE P MATHES Debtor |))))))) | CASE NO: 23-40080 Chapter 13 Trustee's Objection to Confirmation Original Confirmation Hearing set for : February 23, 2023 11:00 am |
|---|---------------------------------|--|

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. The plan is distributing less to the unsecured creditors than they would receive under Chapter 7 liquidation. 11 U.S.C. § 1325(a)(4)
2. The Rule 2016(b) statement conflicts with Statement of Financial Affairs question #16.
3. The set monthly payments to be made by the Trustee exceed the plan payment.
4. The plan does not contain enough funds to pay secured and priority creditors in full and pay the amount guaranteed to general unsecured creditors (if any). 11 U.S.C. §§ 1322(a)(2) and 1325(a)(5)(B)(ii). The approximate amount of the shortfall is \$13,904.
5. Based upon the proof of claim filed by Electro Savings Credit Union, Debtor's vehicle is undervalued in her schedules. It appears the value should be \$54,700. Debtor must guarantee \$5,920 to general unsecured creditors based upon the non-exempt equity in this asset.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: March 01, 2023

OBJCONF--JMP

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660

Attorney for Trustee

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23-40080

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03/01/2023

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on March 01, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on March 01, 2023.

CANDICE P MATHES
2457 MARY AVE
SAINT LOUIS, MO 63144

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660